

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF

MONDAY, APRIL 11, 1983

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 2:12 p.m. Deputy Mayor Cleator made a presentation to Messrs. John P. Starkey and Skip Starkey in appreciation for their gift of property to the City. Deputy Mayor Cleator adjourned the meeting at 4:17 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation, and to meet in Closed Session on Tuesday, April 12, 1983 at 8:30 a.m. regarding meet and confer negotiations.

ATTENDANCE DURING THE MEETING:

- (M) Mayor-vacant.
  - (1) Council Member Mitchell-present.
  - (2) Council Member Cleator-present.
  - (3) Council Member McColl-present.
  - (4) Council Member Jones-present.
  - (5) Council Member Struiksma-present.
  - (6) Council Member Gotch-present.
  - (7) Council Member Murphy-present.
  - (8) Council Member Martinez-present.
- Clerk-Abdelnour (jb)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

Mayor-vacant.

Council Member Mitchell-present.

Council Member Cleator-present.

Council Member McColl-present.

Council Member Jones- present.

Council Member Struiksma-present.

Council Member Gotch- present.

Council Member Murphy-present.

Council Member Martinez- present.

ITEM-10: INVOCATION

Invocation was given by Reverend George W. Carlson, Pastor

of the Christ Lutheran Church in San Diego.  
FILE LOCATION:  
MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.  
FILE LOCATION:  
MINUTES

\* ITEM-50: (O-83-165) ADOPTED AS ORDINANCE O-15926 (New Series)

Amending Chapter II, Article 2, Division 9 of the San Diego  
Municipal Code by amending Section 22.0901 relating to leases  
of real property.

(Introduced on 3/28/83. Council voted 7-0. District 3 and  
Mayor - vacant.)

FILE LOCATION:  
MEET

COUNCIL ACTION: (Tape location: A112-173).

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Mitchell. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl- yea, Jones-yea, Struiksmayea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor- vacant.

\* ITEM-51: (O-83-186 Rev.) ADOPTED AS ORDINANCE O-15927 (New Series)

Amending Chapter VIII, Article 2, of the San Diego Municipal  
Code by amending Section 82.07, relating to establishing fees  
for parking violations; this ordinance shall take effect and be  
in force on the first day of July, 1983.

(Introduced on 3/28/83. Council voted 7-0. District 3 and  
Mayor vacant.)

FILE LOCATION:  
MEET

COUNCIL ACTION: (Tape location: A112-173).

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Mitchell. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl- yea, Jones-yea, Struiksmayea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor- vacant.

\* ITEM-52:

19830411

Sixteen actions relative to dedication of City-owned land as public parks:

(Various Community Areas. Districts-1, 2, 3, 4, 6, 7 and 8.

Introduced on 3/28/83. Council voted 7-0. District 3 and Mayor vacant.)

Subitem-A: (O-83-168) ADOPTED AS ORDINANCE O-15928 (New Series)

Setting aside and dedicating Lot 1 of Penasquitos Park View

Estates Unit No. 1 for a public park.

Subitem-B: (O-83-169) ADOPTED AS ORDINANCE O-15929 (New Series)

Setting aside and dedicating a portion of Lot 13 of Rancho

Mission of San Diego for a public park.

Subitem-C: (O-83-170) ADOPTED AS ORDINANCE O-15930 (New Series)

Setting aside and dedicating Lots 1 to 6, inclusive, in

Block 8 of Loma Alta No. 1 for a public park.

Subitem-D: (O-83-171) ADOPTED AS ORDINANCE O-15931 (New Series)

Setting aside and dedicating the north half of Lot 8 and all of Lots 5, 6 and 7 in Block 1 of City Heights Annex No. 1 for a public park.

Subitem-E: (O-83-172) ADOPTED AS ORDINANCE O-15932 (New Series)

Setting aside and dedicating Lots 1 to 10, inclusive, and Lots 39 and 40 in Block 8 of City Heights Annex No. 1 for a public park.

Subitem-F: (O-83-173) ADOPTED AS ORDINANCE O-15933 (New Series)

Setting aside and dedicating a portion of Lots 67 and 68 of Rancho Mission of San Diego for a public park.

Subitem-G: (O-83-174) ADOPTED AS ORDINANCE O-15934 (New Series)

Setting aside and dedicating portions of Pueblo Lots 205 and 212 of the Pueblo Lands of San Diego for a public park.

Subitem-H: (O-83-175) ADOPTED AS ORDINANCE O-15935 (New

Series)

Setting aside and dedicating a portion of Pueblo Lot 1803 of the Pueblo Lands of San Diego, and a portion of Lots "C" and "D" in Block 7 of Mission Beach for a public park.

Subitem-I: (O-83-176) ADOPTED AS ORDINANCE O-15936 (New Series)

Setting aside and dedicating Lots 25 and 26 in Block 5, Lots 33 to 48, inclusive, in Block 6 and Lots 35, 36 and 37 in Block 22 of City Heights, and Lot 20 in Block "M", Lots 1 and 2 in Block "O", Lot 23 in Block "Q", and Lots 3, 4 and a portion of Lot 2 in Block "R" of Montclair for a public park.

Subitem-J: (O-83-177) ADOPTED AS ORDINANCE O-15937 (New Series)

Setting aside and dedicating portions of Pueblo Lots 1793 and 1803 of the Pueblo Lands of San Diego for a public park.

Subitem-K: (O-83-178) ADOPTED AS ORDINANCE O-15938 (New Series)

Setting aside and dedicating a portion of Pueblo Lot 190 of the Pueblo Lands of San Diego for a public park.

Subitem-L: (O-83-179) ADOPTED AS ORDINANCE O-15939 (New Series)

Setting aside and dedicating a portion of Rancho San Bernardo for a public park.

Subitem-M: (O-83-180) ADOPTED AS ORDINANCE O-15940 (New Series)

Setting aside and dedicating a certain unnumbered tract of land designated as "park" and the north 660 feet of that certain unnumbered tract of land designated as "park", both in the Little Landers Subdivision of San Ysidro for a public park.

Subitem-N: (O-83-181) ADOPTED AS ORDINANCE O-15941 (New Series)

Setting aside and dedicating Parcel 2 of Parcel Map PM-1889, Lots 1, 2, 3 and 4 of Loma Cliffs and a portion of Pueblo Lot 145 of the Pueblo Lands of San Diego for a public park.

Subitem-O: (O-83-182) ADOPTED AS ORDINANCE O-15942 (New Series)

Setting aside and dedicating portions of Lots 1, 2, 3, 4, 5

and 6 and Lots 7, 8, 9 and 10, in Block "B" of La Jolla Hermosa  
Unit "A" for a public park.

Subitem-P: (O-83-183) ADOPTED AS ORDINANCE O-15943 (New  
Series)

Setting aside and dedicating Lots 23 and 24 in Block 488 of  
Porter's Addition for a public park.

FILE LOCATION: Subitem A DEED F-1795; Subitem B DEED F-1796;

Subitem C DEED F-1797; Subitem D DEED F-1798;

Subitem E DEED F-1799; Subitem F DEED F- 1800;

Subitem G DEED F-1801; Subitem H DEED F-1802;

Subitem I DEED F-1803; Subitem J DEED F-1804;

Subitem K DEED F-1805; Subitem L DEED F-1806;

Subitem M DEED F-1807; Subitem N DEED F-1808;

Subitem O DEED F-1809; Subitem P DEED F- 1810.

COUNCIL ACTION: (Tape location: A112-173).

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND  
ADOPT.

Second by Mitchell. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-53: (O-83-204) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance amending Section 1 of Ordinance  
O-15517 (New Series), adopted July 8, 1981, incorporating a  
portion of Section 27, Township 18 South, Range 2 West,  
S.B.B.M., located at the southwest corner of Beyer Boulevard  
and Palm Avenue, into R-2 Zone; extension of time to December  
18, 1984.

(Case-82-0137/EOT2. See Planning Department Report  
PDR-83-090. Otay Mesa- Nestor Community Plan. District-8.)

FILE LOCATION:

ZONE 4/11/83

COUNCIL ACTION: (Tape location: A174-180).

CONSENT MOTION BY JONES TO INTRODUCE. Second by Gotch. Passed  
by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea,

Mayor-vacant.

\* ITEM-54: (O-83-203) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance amending Section 1 of Ordinance O-15492 (New Series), adopted May 27, 1981, incorporating portions of Lots 13 and 18, Horton's Purchase in the Ex-Mission Lands of San Diego, Map-283, located at the northwest corner of 47th Street and Federal Boulevard, into M-1B Zone; extension of time to February 1, 1984.

(Case-83-0101/EOT2. See Planning Department Report PDR-83-091. Mid-City Development Plan. District-3.)

FILE LOCATION:

ZONE 4/11/83

COUNCIL ACTION: (Tape location: A174-180).

CONSENT MOTION BY JONES TO INTRODUCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-100:

19830411

Two actions relative to awarding contracts:

Subitem-A: (R-83-1381) ADOPTED AS RESOLUTION R-258206

Lamb Chevrolet for the purchase of ten subcompact sedans (1983 Isuzu I-Mark Deluxe Sedans with 1817 cc four-cylinder diesel engines) for a total cost of \$70,373.40, including tax and terms. BID-4920A

Subitem-B: (R-83-1373) ADOPTED AS RESOLUTION R-258207

Mission Ford Tractors, Inc. for the purchase of one tractor with front loader and four wheel drive for an actual cost of \$29,256, including tax. BID- 4914

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-101: (R-83-1490) ADOPTED AS RESOLUTION R-258208

Inviting bids for Balboa Park General Improvements FY 82/83 on Work Order No. 118076; authorizing the execution of a contract with the lowest responsible and reliable bidder; accepting the generous donation of \$1,000 from the Thursday Club for landscaping on the east side of the Casa del Prado Building in Balboa Park; commending the Thursday Club for this act of civic generosity, and publicly expressing, on behalf of the Citizens of San Diego, a debt of gratitude; authorizing the City Auditor and Comptroller to reduce funds previously authorized by Resolution R-218765, adopted on June 29, 1977, in the amount of \$16,232 by transferring \$16,232 from

CIP-21-001.2, Balboa Park Signs and Information System to

CIP-21-113, Balboa Park General Improvements and Landscaping; to transfer \$21,884 from Park and Recreation Bond Fund 1966, fund No. 30725; \$64,300 from Capital Outlay Fund 30245, CIP-20-001, Minor Park Improvements; and \$1,000 from Trust Fund 63021 to CIP-21-113, Balboa Park - General Improvements and Landscaping; authorizing the expenditure of \$320,490 from CIP-21-113, Balboa Park - General Improvements and Landscaping of the City of San Diego, for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5009

(Balboa Park Community Area. District-8.)

#### CITY MANAGER REPORT:

This project consists of several individual work site locations in Balboa Park. Proposed work will provide new automatic irrigation systems; convert existing manually operated systems to fully automatic systems; construct deteriorated hydraulic systems to electrically operated systems; construct new sidewalks, handicapped ramps, concrete slabs, benches, curb and walls; construct water mains, fire hydrants and services. Proposed improvements will reduce maintenance, provide needed fire hydrants for four large park building and eliminate unsafe cross connections between irrigation and potable water supplies. Included in this project is a paved and benched area, on the east side of the Balboa Park Casa del Prado Building dedicatory statement, which is being funded by a donation from the Thursday Club.

#### FILE LOCATION:

W.O. 118076

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-102: (R-83-1487) ADOPTED AS RESOLUTION R-258209

Inviting bids for Witherby Street Underpass Reconstruction at the AT&SF Railroad crossing on Work Order No. 118235; authorizing the Purchasing Agent to publish notice to contractors calling for bids for the above project; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$72,000 from Capital Outlay Fund 30245, CIP-53-310, Witherby Street Underpass at the AT&SF Railroad Crossing, for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5008

(Midway Community Area. District-2.)

CITY MANAGER REPORT:

This project will reconstruct the roadway surface of Witherby Street under the AT&SF Railroad bridge. The existing roadway surface, which is below the mean high tide elevation of San Diego Bay, has deteriorated over the years due to groundwater intrusion. The constant wetness of the surface pavement has precluded several attempts by Street Maintenance to resurface and correct the problem. The resultant potholes and ponding water are a traffic safety problem as well as a constant source of citizen complaints. A groundwater study of the area by an engineering geologist consultant recommended this reconstruction as the only economical means of correcting this problem.

FILE LOCATION:

W.O. 118235

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-103: (R-83-1484) ADOPTED AS RESOLUTION R-258210

Approving the final subdivision map of Ultima, a one-lot subdivision located southwesterly of I-8 and I-15.

(East Mission Valley Community Area. District-5.)

FILE LOCATION:

SUBD Ultima

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,



Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea,  
Mayor-vacant.

\* ITEM-104: (R-83-1498) ADOPTED AS RESOLUTION R-258211

Granting an extension of time to February 17, 1985 to  
Genstar Development, Inc., subdivider, to complete the  
improvements required in Penasquitos Park View Estates Units  
No. 1 and 2, and an extension of time to March 23, 1985 to  
complete the improvements required in Penasquitos Park View  
Estates Units No. 3 and 4.

(Located southerly of Black Mountain Road and Paseo  
Montalban. Penasquitos East Community Area. District-1.)

FILE LOCATION:

SUBD Penasquitos Park View Estates Units No. 1, 2, 3 and 4

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by  
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea,  
Mayor-vacant.

\* ITEM-105: (R-83-1497) ADOPTED AS RESOLUTION R-258212

Granting an extension of time to August 31, 1983 to Ayres  
San Diego II, subdivider, to complete the improvements required  
in South Bay Estates Unit No. 2.

(Located southeasterly of Coronado Avenue and Green Bay  
Street. Otay Mesa- Nestor Community Area. District-8.)

FILE LOCATION:

SUBD South Bay Estates Unit No. 2

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by  
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea,  
Mayor-vacant.

\* ITEM-106: (R-83-123) ADOPTED AS RESOLUTION R-258213

Approving the acceptance by the City Manager of that street  
easement deed of Russell V. Grant, as Trustee of the Trust  
under the will of Alta S. Grant, deceased, granting to City an  
easement for public street purposes in Parcels 1 and 2 of  
Pueblo Lots 1183 and 1184; dedicating said land as and for a  
public street and naming the same Friars Road.

(Located westerly of Friars Road and Stadium Way. Mission

Valley and Serra Mesa Community Areas. District-5.)

**CITY MANAGER REPORT:**

On October 5, 1981, the Council approved an exchange of abutter's rights of access in and to Friars Road. It was also intended that Council approve the dedication of a portion of Friars Road. The resolution for the street dedication was inadvertently omitted and was never acted on by Council. Council action on the street dedication is now necessary to complete final processing. The street will be improved as part of the improvements required for Rio Vista Center subdivision. The street dedication is at no cost and the City will have no fee interest.

**FILE LOCATION:**

DEED F-1832

**COUNCIL ACTION:** (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-107: (R-83-1526) ADOPTED AS RESOLUTION R-258214

Amending Council Policy 300-4, "Annual Salary Review of Positions with Salaries Established by Council," and repealing Council Policy 300-5, dated May 19, 1966.

(See memorandum with attached revised Council Policy 300-4 from Ray Blair and Rich Snapper dated 3/15/83.)

**COMMITTEE ACTION:** Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor - vacant.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-108: (R-83-1501) ADOPTED AS RESOLUTION R-258215

Excusing Council Member Bill Cleator from all City Council and Council Committee meetings scheduled for Monday and Tuesday, April 4 and April 5, 1983 for the purpose of vacation.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-109: (R-83-1527) REFERRED TO THE INTERGOVERNMENTAL RELATIONS DEPARTMENT

Expressing opposition to Assembly Bill 45 (Chacon) regarding a Consumer's Utility Board to represent residential utility consumers, and other similar legislation, unless it is amended to exclude water and sewer utilities owned and operated by local agencies from the provisions of the bill pursuant to the recommendations of the Director of Intergovernmental Relations, as set forth in Report IRD-83-15 to the Rules Committee, dated February 25, 1983; declaring that if the above amendment is accepted by the author and legislature, the City Council declares no formal position on that legislation in this subject area; declaring that the City Council takes no position on Assembly Bill 801 (Moore).

(See Director of Intergovernmental Relations Department Report IRD-83-15.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A254-277).

MOTION BY GOTCH TO REFER THE ITEM BACK TO THE INTERGOVERNMENTAL

RELATIONS DEPARTMENT AND DIRECT MR. HARVEY AND MR. HERRING TO REVIEW

THE AMENDMENTS MADE BY THE AUTHOR OF THE BILL AND BRING BACK TO THE

COUNCIL AT A LATER DATE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-110: (R-83-1529) ADOPTED AS RESOLUTION R-258216

Declaring that the City Council takes no position on Senate Bill 48 (Vuich) regarding the extension of utility services to new customers.

(See Director of Intergovernmental Relations Department Report IRD-83-19.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-111: (R-83-1531) ADOPTED AS RESOLUTION R-258217

Declaring that the City Council joins the County Board of Supervisors in endorsing the legislative goals regarding offshore oil drilling.

(See Intergovernmental Relations Department Report

IRD-83-16.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-112: (R-83-1550) ADOPTED AS RESOLUTION R-258218

Declaring that the City of San Diego does not desire to sponsor amendments to the Public Safety Officers Procedural Bill of Rights concerning appeals, disclosure of records, and inspection of work areas.

(See Intergovernmental Relations Department Report

IRD-83-20.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-113: (R-83-1528) ADOPTED AS RESOLUTION R-258219

Declaring that the City takes no position on the question of electing State Public Utilities Commissioners, after having considered the information and recommendation provided by the Director of Intergovernmental Relations Report in IRD-83-12 to the Rules Committee, dated February 22, 1983.

(See Intergovernmental Relations Department Report IRD-83-12.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. Mayor vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-114: (R-83-1549) ADOPTED AS RESOLUTION R-258220

Declaring Fifth Avenue between Broadway and Market Street to be a one-way northbound street; authorizing the installation of the necessary signs and markings; rescinding Resolution R-256233, which established Fifth Avenue between Broadway and Market Street as a two-way street; amending Council Policy 600-32 entitled "Preferred Street System for Centre City" to indicate that Fifth Avenue between Broadway and Market Street is a one-way northbound street.

(Centre City Community Area. District-8.)

#### CITY MANAGER REPORT:

On April 19, 1982, Council approved the conversion of Fifth Avenue from Market Street to Broadway from one-way northbound traffic flow to two-way traffic flow. Staff indicated that this change in traffic flow was for the purpose of providing for future implementation of the Gaslamp Trolley project and was in accordance with Council Policy 600-32, "Preferred Street System for Centre City."

Two-way traffic flow was implemented on December 15, 1982. Staff has carefully evaluated traffic flow from the time of conversion to the present. Ever since the street was converted to two-way traffic flow, with one lane in each direction and curb parking allowed, there has been substantial congestion and delay experienced by northbound motorists, together with additional congestion caused by commercial loading and unloading to serve to serve fronting businesses on Fifth Avenue. Signal timing has been adjusted but considerable congestion and delay, especially for northbound

traffic, remains. Staff has met with the Gaslamp Quarter Council, and they unanimously approved a resolution calling for the establishment of Fifth Avenue as a one-way street for northbound traffic from Market Street to Broadway in their meeting of February 1983. Staff concurs and recommends this change. The additional traffic lane for northbound traffic will provide a marked improvement in traffic flow while allowing the retention of parking and commercial loading zones on each side of the street. This conversion is also supported by San Diego Transit Corporation and will not prevent the eventual installation of the Gaslamp Trolley if such action is subsequently approved by Council. This action will amend Council Policy 600-32, "Preferred Street System for Centre City."

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-115: (R-83-1525) ADOPTED AS RESOLUTION R-258221

Authorizing the execution of an amendment to agreement No. 11-0277 with the California Department of Transportation (CalTrans) covering the design of the proposed Fairmount Avenue/Montezuma Bikeway, extending the provisions of the agreement from April 15, 1983 to June 15, 1983.

(Mid-City and State University Community Areas. Districts-3 and 7.)

CITY MANAGER REPORT:

In June 1981, the City of San Diego and CalTrans entered into an agreement calling for CalTrans to provide engineering services for the design of the proposed Fairmount Avenue/Montezuma Road bikeway project. The agreement will expire on April 15, 1983. Because of unforeseen circumstances, however, CalTrans engineers now estimate that they will not be able to complete design work on the project until June 15, 1983. This resolution will authorize the City Manager to execute an amendment to agreement No. 11-0277, extending the deadline for completion of the design of the Fairmount Avenue/Montezuma Road bikeway from April 15, 1983 to June 15, 1983.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor-vacant.

\* ITEM-116:

19830411

Thirteen actions relative to permit agreements with the following youth baseball organizations for the construction, operation and maintenance of ball parks in San Diego:

(Districts-1, 3, 5, 6, 7.)

Subitem-A: (R-83-1496) ADOPTED AS RESOLUTION R-258222

Balboa Little League and Senior League.

Subitem-B: (R-83-1504) ADOPTED AS RESOLUTION R-258223

Black Mountain Pony League.

Subitem-C: (R-83-1505) ADOPTED AS RESOLUTION R-258224

Cabrillo Little League.

Subitem-D: (R-83-1506) ADOPTED AS RESOLUTION R-258225

Chollas Lake Little League.

Subitem-E: (R-83-1507) ADOPTED AS RESOLUTION R-258226

Clairemont Bobby Sox.

Subitem-F: (R-83-1508) ADOPTED AS RESOLUTION R-258227

Mission Trails Little League.

Subitem-G: (R-83-1509) ADOPTED AS RESOLUTION R-258228

Mission Village Little League.

Subitem-H: (R-83-1510) ADOPTED AS RESOLUTION R-258229

Northeastern Little League.

Subitem-I: (R-83-1511) ADOPTED AS RESOLUTION R-258230

Presidio Little League.

Subitem-J: (R-83-1512) ADOPTED AS RESOLUTION R-258231

Rancho Bernardo Recreation Council, Inc.

Subitem-K: (R-83-1513) ADOPTED AS RESOLUTION R-258232

San Carlos Little League.

Subitem-L: (R-83-1514) ADOPTED AS RESOLUTION R-258233

Sunshine Little League.

Subitem-M: (R-83-1515) ADOPTED AS RESOLUTION R-258234

Sunshine Pony League and Colt League.

**CITY MANAGER REPORT:**

Council Policy 700-3 provides for unused City- owned lands to be made available for the construction, operation, and maintenance of youth ball fields on an annual basis. The 13 youth sports organizations operated these ball fields last year under this program and have requested renewal of their agreements for 1983. The permits expire on December 31 unless terminated earlier by either party. Each league pays a \$100 processing fee, carries public liability insurance protecting the City, and is responsible for the maintenance of its ball field. The City pays for water service from the Park and Recreation Department budget.

FILE LOCATION: Subitem A LEAS Balboa Little League and Senior League;

Subitem B LEAS Black Mountain Pony League;

Subitem C LEAS Cabrillo Little League;

Subitem D LEAS Chollas Lake Little League;

Subitem E LEAS Clairemont Bobby Sox;

Subitem F LEAS Mission Trails Little League;

Subitem G LEAS Mission Village Little League;

Subitem H LEAS Northeastern Little League;

Subitem I LEAS Presidio Little League;

Subitem J LEAS Rancho Bernardo Recreation Council, Inc.;

Subitem K LEAS San Carlos Little League;

Subitem L LEAS Sunshine Little League;

Subitem M LEAS Sunshine Pony League and Colt League

COUNCIL ACTION: (Tape location: A181-215).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,



Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,  
Mayor-vacant.

ITEM-150: (O-83-207) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance amending Chapter VI, Article 2,  
Division 4 of the San Diego Municipal Code by amending Section  
62.0413 relating to City Council consideration of appeals from  
decisions of the Planning Commission or City engineer and  
amending Chapter X, Article 1, Division 5 of the San Diego  
Municipal Code by amending Section 101.0550 relating to  
sidewalk cafes.

(See Rules Committee Consultant Analysis Rules-83-2 and  
memorandum from Engineering and Development dated 3/18/83.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to introduce  
the Ordinance. Districts 2, 5, 6 and 7 voted yea. Mayor - vacant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B150-173).

MOTION BY MARTINEZ TO INTRODUCE. Second by Gotch. Passed by the  
following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-200: (O-83-39 Rev.) CONTINUED TO JUNE 21, 1983, AT 2:00 P.M.

(Continued from the meeting of November 22, 1982 at the City  
Attorney's request.)

Amending Chapter X, Article 3, of the San Diego Municipal  
Code by adding Division 9, relating to Barrio Logan Planned  
District Regulations.

(Introduced on 11/9/82. Council voted 5-2. Districts 5 and  
7 voted nay. District 2 and Mayor not present.)

FILE LOCATION:

LAND Barrio Logan Planned District

COUNCIL ACTION: (Tape location: A216-234).

MOTION BY MARTINEZ TO CONTINUE TO JUNE 21, 1983, AT 2:00 P.M., AT  
PLANNING DEPARTMENT'S REQUEST. Second by Jones. Passed by the  
following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,  
Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-201:

19830411

(Continued from the meeting of March 28, 1983 at the City

Manager's request.)

Seven actions relative to San Diego Jack Murphy Stadium  
Expansion:

(See City Manager Report CMR-83-97. Mission Valley  
Community Area. District-5.)

Subitem-A: (O-83-192) INTRODUCED, TO BE ADOPTED APRIL 25,  
1983

Introduction of an Ordinance authorizing the San Diego  
Stadium Authority to issue additional revenue bonds in an  
aggregate principal amount not to exceed \$13 million for the  
purpose of expanding San Diego Jack Murphy Stadium.

Subitem-B: (O-83-193) INTRODUCED, TO BE ADOPTED APRIL 25,  
1983

Introduction of an Ordinance authorizing Amendment No. 1 to  
the Joint Exercise of Powers Agreement between the City of San  
Diego and the County of San Diego creating the San Diego  
Stadium Authority with respect to the proposed improvements to  
San Diego Jack Murphy Stadium.

(6 votes required pursuant to Section 99 of the City  
Charter.)

Subitem-C: (R-83-1434) ADOPTED AS RESOLUTION R-258235

Authorizing the addition of CIP-34-101, San Diego Jack  
Murphy Stadium Expansion to the FY 1983 Capital Improvements  
Program; authorizing the transfer of \$188,300 from the San  
Diego Jack Murphy Stadium Operation Fund 10330 to CIP- 34-101;  
authorizing the expenditure of \$188,300 from CIP-34-101 to  
supplement Resolution R-257679, from the Revenue Bond Proceeds;  
amending Resolution R- 257679, adopted on December 15, 1982, to  
provide for the reimbursement of costs from the Revenue Bond  
Proceeds.

Subitem-D: (R-83-1435) ADOPTED AS RESOLUTION R-258236

Authorizing the execution of the first amended agreement  
between the Chargers Football Company and the City of San Diego  
for partial use and occupancy of San Diego Jack Murphy Stadium.

Subitem-E: (R-83-1436) ADOPTED AS RESOLUTION R-258237

Authorizing the execution of a first amended lease agreement  
between the Chargers Associates and the City of San Diego for  
use and occupancy of a portion of San Diego Jack Murphy  
Stadium.

Subitem-F: (R-83-1437) ADOPTED AS RESOLUTION R-258238

Authorizing the execution of a third amendment to agreement between the City of San Diego and San Diego National League Baseball Club, Inc. for partial use and occupancy of San Diego Jack Murphy Stadium.  
Subitem-G: (R-83-1438) ADOPTED AS RESOLUTION R-258239

Authorizing the execution of a third amendment to agreement for partial use and occupancy of San Diego Jack Murphy Stadium between San Diego State University and the City of San Diego.  
FILE LOCATION: Subitems A,B,C MEET;

Subitem D LEAS Chargers Football Company;

Subitem E LEAS Chargers Associates;

Subitem F LEAS San Diego National League Baseball Club, Inc.;

Subitem G LEAS San Diego State University  
COUNCIL ACTION: (Tape location: A278-B137).

MOTION BY STRUIKSMA TO INTRODUCE SUBITEMS-A AND B, ADOPT SUBITEMS-C, D, E, F, AND G, AND REFER THE QUESTION REGARDING THE IMPACT THAT THE ADDITIONAL SEATING CAPACITY WOULD HAVE ON THE PARKING PROBLEM TO THE APPROPRIATE DEPARTMENT, TO WORK WITH THE PUBLIC, THE RESIDENTS IN BOTH DISTRICTS 5 AND 7, THE TRANSIT SYSTEM, AND OTHERS IN A CONCERTED EFFORT TO ALLEVIATE THE PROBLEM.

Second by  
Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S400:

19830411

Two actions relative to La Jolla Elementary School:  
(See City Manager Report CMR-83-90. La Jolla Community Area. District-1.)  
Subitem-A: (O-83-195) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of a Ordinance authorizing the execution of an agreement with the San Diego Unified School District for the

use, development and maintenance of a portion of the La Jolla Elementary School site for park and recreation purposes for a term of twenty-five years.

Subitem-B: (R-83-1445) ADOPTED AS RESOLUTION R-258240

Requesting San Diego Unified School District to administer contracts totaling an amount not to exceed \$197,000 for the design and construction of improvements at the La Jolla Elementary School; authorizing the expenditure of \$197,000 from CIP-23-938 for the above project.

COMMITTEE ACTION: Reviewed by PFR on 4/6/83. Recommendation to introduce the Ordinance and adopt the Resolution. Districts 1, 4, 7 and 8 voted yea.

District 6 not present.

FILE LOCATION: Subitem A LEAS S.D. Unified School District - La Jolla Elementary School;

Subitem B MEET

COUNCIL ACTION: (Tape location: C393-440).

MOTION BY MITCHELL TO INTRODUCE SUBITEM-A AND ADOPT SUBITEM-B,  
AND INCLUDE HIS RECOMMENDATION MADE TO THE PUBLIC FACILITIES AND  
RECREATION COMMITTEE THAT A SIGN BE ERECTED ON THE GIRARD STREET  
SIDE ANNOUNCING THAT IT IS A CITY PARK IN COOPERATION WITH THE SAN  
DIEGO UNIFIED SCHOOL DISTRICT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S401: (O-83-46 Rev.) ADOPTED AS ORDINANCE O-15944 (New Series)

(Continued from the meeting of April 4, 1983 at Council Member Gotch's request for further review.)

Amending Chapter VI, Article 3 of the San Diego Municipal Code by amending Section 63.02.8 to prohibit glass containers used for carrying or containing any liquid for drinking purposes in City parks, except in locations where such containers are permitted under the terms of a lease, operating agreement or permit.

(First introduced on 2/28/83. Council voted 6-0. Districts 1 and 5 not present. Mayor vacant.)

(Reintroduced as amended on 3/22/83. Council voted 5-2. Districts 1 and 5 voted nay. District 3 and Mayor vacant.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C456-495).

Amendment to the motion by Mitchell to include all beverage containers for alcohol and soft drinks. No second.

MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT. Second by Murphy. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones- ye, Struiksma-nay, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S402: (O-83-155) CONTINUED TO APRIL 18, 1983

(Continued from the meeting of April 4, 1983 at the Municipal Employees Association and Local 127's request.)

Introduction of an Ordinance amending Chapter II, Article 4 of the San Diego Municipal Code by amending Sections 24.0103, 24.0105, 24.0206, 24.0308, 24.0402, 24.0403, 24.0501, 24.1000, 24.1003 and 24.1113, and adding new Sections 24.0206.5, 24.0308.5, 24.0313 and 24.1009 relating to clarification of administrative procedures and definitions with respect to the City Employees Retirement Plan.

(See memorandum from the Retirement Administrator dated February 28, 1983.)

COMMITTEE ACTION: Reviewed by RULES on 3/21/83. Recommendation to introduce the Ordinance. Districts 2, 5, 6 and 7 voted ye. Mayor - vacant.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A235-254).

MOTION BY GOTCH TO CONTINUE TO APRIL 18, 1983, AT CITY MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S403:

19830411

(Continued from the meeting of April 4, 1983 at Harry Klunn's request.)

Two actions relative to Robinson Avenue:

(Park Northeast Community Plan. District-3.)

Subitem-A: (R-83-1517) ADOPTED AS RESOLUTION R-258241

Vacating the northerly four feet of Robinson Avenue west of Florida Street adjacent to Lot 26, Block 256, of the amended map of University Heights by G.A. d'Hemecourt in Book 8, Page

36, et seq. of Lis Pendens under the procedure for the summary vacation of streets where an excess right-of-way of a street or highway is not required for street or highway purposes.

Subitem-B: (R-83-1518) ADOPTED AS RESOLUTION R-258242

Approving the acceptance by the City Manager of that street easement deed of Florida and Robinson Limited, granting to City an easement for public street purposes in a portion on Florida Street vacated adjacent to Lot 26, Block 256, of the amended map of University Heights by G.A. d'Hemecourt in Book 8, Page 36 et seq. of Lis Pendens; dedicating said land as and for a public street and naming the same Robinson Avenue.

**CITY MANAGER REPORT:**

Robinson Avenue was dedicated by subdivision in 1888. The abutting property owner has petitioned for the closure to facilitate development of his R-3A-zoned property. Robinson Avenue is classified as a two-lane collector street west of Florida Street along the subject frontage. It has been fully improved to a 52-foot width, which meets the design requirements for a collector street. The improvements are centered within the existing 80-foot right-of-way and produce a 14-foot curb to property line dimension. Since a 10-foot curb to property line dimension is typical in residential areas, the petitioner is seeking a closure of the excess four feet. The four-foot-wide portion of Robinson Avenue to be vacated is unimproved and contains no public facilities.

As a condition of the closing, the curb return at the intersection of Florida Street and Robinson Avenue would have to be reconstructed to current City standards. The petitioner has bonded for this improvement. The closure has been modified accordingly to provide the required property-line radius. Staff has concluded that the subject right-of-way to be vacated is no longer needed for present or prospective public use and can be summarily vacated subject to the improvement cited above. A companion item to this vacation is the acceptance of a street easement deed and the dedication and naming of the same as Robinson Avenue. The dedication will provide the required 20-foot property-line radius at the intersection of the Florida Street and Robinson Avenue rights-of-way. This right-of-way is being acquired at no cost to the City. This application was processed in accordance with Council Policy 600-15.

FILE LOCATION: Subitem A DEED F-1822, STRT J-2469; Subitem B DEED F-1823

COUNCIL ACTION: (Tape location: B174-178).

MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S404: (R-83-1471) ADOPTED AS RESOLUTION R-258243

(Continued from the meeting of April 4, 1983 at Council Member Martinez's request.)

Authorizing the execution of an agreement with Goodkin/Criterion for an economic analysis of the Mid-City community which will assist in implementing commercial revitalization efforts; authorizing the expenditure of the sum of \$34,425 from Fund 18518, Department 5617, Organization 1703 for the above purpose.

(Mid-City, Park Northeast and State University Community Planning Areas. Districts-3 and 7.)

**CITY MANAGER REPORT:**

The Mid-City Revitalization Project has an approved budget of \$115,658. An economic analysis of the community is one of the budgeted items. The economic analysis will provide information which is needed to plan and implement commercial revitalization and other economic development efforts. As proposed by the Goodkin/Criterion team, the economic analysis will include a consumer survey; identification of trade areas, commercial nodes and corridors; an analysis of community demographics; analysis of the office demand; an evaluation of business conditions; an accessibility and parking analysis; an analysis of competitive conditions; and conclusions, recommendations and a final report. A request for proposals (RFP) was issued in November 1982, after approval by the Transportation and Land Use (TL&U) Committee. Ten proposals were received and evaluated by an ad hoc selection committee. The Goodkin/Criterion team was selected and the subject agreement negotiated. It is expected that the study will be completed by summer.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: C496-620).

**MOTION BY McCOLL TO ADOPT.** Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S405:

19830411

(Continued from the meeting of April 4, 1983 at the City Manager's request.)

Two actions relative to Starkey's Prospect Park:  
(La Jolla Community Area. District-1.)

Subitem-A: (O-83-198) INTRODUCED, TO BE ADOPTED APRIL 25, 1983

Introduction of an Ordinance setting aside and dedicating Lots 8 and 9 in Block F and a portion of Block G, Starkey's Prospect Park, for a public park and naming said park Starkey Mini-Park.

Subitem-B: (R-83-1455 Rev.) ADOPTED AS RESOLUTION R-258244

Approving the acceptance by the City Manager of that quitclaim deed of Southern Mortgage Company, quitclaiming to City a portion of the abandoned San Diego Electrical Railway Company right-of-way in Lots 8 and 9 in Block F, together with a portion of Block G, of Starkey's Prospect Park; thanking Mr. John P. Starkey and Southern Mortgage Company for their act of civic generosity in granting their interest in said property to the City as a gift.

**CITY MANAGER REPORT:**

This action is part of an ongoing project to dedicate various City parks in accordance with Charter Section 55 and Council Policy 700-17. The Park and Recreation Board has reviewed this 1.13-acre park site, located at Draper Avenue and Gravilla Street in La Jolla, and has recommended it for dedication.

There was a title problem with this parcel in that a title report revealed the probable fee ownership by Southern Mortgage Company of 60-foot-wide abandoned electric railway right-of-way that runs through the middle of the park site. Mr. John P. Starkey of Southern Mortgage Company, whose grandfather was the original subdivider of this section of La Jolla in the 1920's, graciously consented to have his company execute a quitclaim deed to this property at no cost to the City. The only stipulation is that the park bear his family name, as does the subdivision already, and that the quitclaim deed contain a restriction limiting his donated land to park use. These terms were acceptable to the Park and Recreation Department.

FILE LOCATION: Subitem B DEED F-1824

COUNCIL ACTION: (Tape location: A060-109).

MOTION BY GOTCH TO INTRODUCE SUBITEM-A AND ADOPT SUBITEM-B. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S406: (R-83-1416) ADOPTED AS AMENDED AS RESOLUTION R-258245

Declaring all properties determined by the Fire Chief as



public nuisances, which have been abated at City expense pursuant to City's Weed and Rubbish Abatement Program, Chapter V, Article 4, Division 2, of the San Diego Municipal Code to have been public nuisances at the time of such abatement; confirming the report of the Fire Chief showing the cost of Weed Abatement against each parcel of land; authorizing the Fire Chief to bill the property owners for the cost of abatement as confirmed.

(See City Manager Report CMR-83-88.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B279-C392).

Hearing began at 3:10 p.m. and halted at 4:05 p.m.

Testimony in opposition by John Thomas Baker, Bruce Cohen, and William Peters.

Motion by Gotch to uphold the appeal of John Baker and waive the fee in the amount of \$234.32 for parcel No. 356-350-04. Second by Jones. Passed. Yeas: 1,2,3,4,5,6,7,8. Vacant: M.

Motion by Martinez to deny the appeal of Bruce Cohen regarding Parcel No. 638-080-44 and uphold the Fire Chief's costs amounting to \$1,218.00 for abatement of this parcel. Second by Murphy. Passed. Yeas: 1,2,3,4,5,6,7,8. Vacant: M.

Motion by Mitchell to uphold the appeal of William Peters. No Second.

Motion by Jones to deny the appeal of William Peters regarding Parcel No. 539-044-09 in the amount of \$112.52, and Parcel No. 548-430-28 in the amount of \$631.01, and uphold the Fire Chief's costs for abatement of these parcels. Second by Gotch. Passed. Yeas: 3,4,6,7,8. Nays: 1,2. Not present: 5.

MOTION BY MARTINEZ TO ADOPT AS AMENDED BY INCORPORATING THE MODIFICATIONS MADE BY THE COUNCIL. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Cleator at 4:17 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation, and to meet in Closed Session on Tuesday, April 12, 1983, at 8:30 a.m. regarding meet and confer negotiations.

FILE LOCATION:

MINUTES